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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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SCHIEF HARDIN, LLP PATENT DEPARTMENT 6600 SEARS TOWER CHICAGO, IL 60606-6473			EXAMINER WON, MICHAEL YOUNG	
			ART UNIT 2155	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/807,691

Applicant(s)

WESELOH, DIRK

Examiner

MICHAEL Y. WON

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2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/302)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment filed March 27, 2008.
2. Claims 1-8 have been cancelled and new claims 9-17 have been added.
3. Claims 9-17 have been examined and are pending with this action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 9-12, 14 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Azieres et al. (US 6,646,564).

INDEPENDENT:

As per **claim 9**, Azieres teaches a method for remote maintenance of a technical device by a maintenance technician by a maintenance computer, comprising the steps of:

establishing a remote data connection between the maintenance computer and the technical device to be maintained (see Fig.1 and col.4, lines 42-47: "Remote access to the system is available by any number of known communication protocols");

transmitting electronic access information describing a scope of intended access to data stored in the technical device from the maintenance computer to the technical device to be maintained, said data being understood to be confidential by an operating personnel for the technical device (see col.5, lines 28-31: "type of data the user can view and the type of commands a user can issue... is a function of the user's security access level");

transmitting an electronic identifier identifying the maintenance technician from the maintenance computer to the technical device to be maintained (see col.5, lines 23-28: "series of passwords, logon identifiers, and personal identifiers"; and lines 45-47: "level of access based on this user status identifier");

determining an approval by said operating personnel of an access to the technical device dependent on the access information describing the scope of the intended access to the data and the identifier (see col.5, lines 47-52: "Endowing the user with a specific level of authority");

generating electronic authentication information by the technical device dependent on the determination of the approval (see col.5, lines 42-43: "the system will grant a predetermined level of access");

transmitting said authentication information from the technical device to the maintenance computer (inherency); and

with said maintenance computer, conducting said remote maintenance of said technical device, said maintenance computer receiving from said technical device confidential data which was authorized based on said approval (see col.5, lines 47-64: "by virtue of the user's status as a manager").

As per **claim 15**, Azieres teaches a method for remote maintenance of a technical device by a maintenance technician by a maintenance computer, comprising the steps of:

establishing a remote data connection between the maintenance computer and the technical device to be maintained (see Fig.1 and col.4, lines 42-47: "Remote access to the system is available by any number of known communication protocols");

transmitting electronic access information describing a scope of intended access to data stored in the technical device from the maintenance computer to the technical device to be maintained, said data being understood to be access sensitive by an operating personnel for the technical device (see col.5, lines 28-31: "type of data the user can view and the type of commands a user can issue... is a function of the user's security access level");

transmitting an electronic identifier identifying the maintenance technician from the maintenance computer to the technical device to be maintained (see col.5, lines 23-28: "series of passwords, logon identifiers, and personal identifiers"; and lines 45-47: "level of access based on this user status identifier");

determining an approval by said operating personnel of an access to the technical device dependent on the access information describing the scope of the intended access to the data and the identifier (see col.5, lines 47-52: "Endowing the user with a specific level of authority");

generating electronic authentication information dependent on the determination of the approval (see col.5, lines 42-43: "the system will grant a predetermined level of access");

transmitting said authentication information to the maintenance computer (inherency); and

with said maintenance computer, conducting said remote maintenance of said technical device, said maintenance computer receiving from said technical device data considered to be access sensitive which was authorized based on said approval (see col.5, lines 47-64: "by virtue of the user's status as a manager").

As per **claim 17**, Azieres teaches a computer-readable medium comprising a computer program for remote maintenance of a technical device by a maintenance technician by a maintenance computer having said computer program, said program performing the steps of:

establishing a remote data connection between the maintenance computer and the technical device to be maintained (see Fig.1 and col.4, lines 42-47: "Remote access to the system is available by any number of known communication protocols");

transmitting electronic access information describing a scope of intended access to data stored in the technical device from the maintenance computer to the technical device to be maintained, said data being understood to be confidential by an operating personnel for the technical device (see col.5, lines 28-31: "type of data the user can view and the type of commands a user can issue... is a function of the user's security access level");

transmitting an electronic identifier identifying the maintenance technician from the maintenance computer to the technical device to be maintained (see col.5, lines 23-28: "series of passwords, logon identifiers, and personal identifiers"; and lines 45-47: "level of access based on this user status identifier");

receiving approval by said operating personnel of an access to the technical device dependent on the access information describing the scope of the intended access to the data and the identifier (see col.5, lines 47-52: "Endowing the user with a specific level of authority");

receiving electronic authentication information generated by the technical device dependent on the determination of the approval (see col.5, lines 42-43: "the system will grant a predetermined level of access");

receiving said authentication information from the technical device (inherency);
and

conducting said remote maintenance of said technical device, said maintenance computer receiving from said technical device confidential data which was authorized

based on said approval (see col.5, lines 47-64: "by virtue of the user's status as a manager").

DEPENDENT:

As per **claim 10**, which depends on claim 9, Azieres teaches further comprising the step of: printing information by the technical device dependent on the authentication information (see col.5, lines 54-55 and col.7, lines 19-24).

As per **claim 11**, which depends on claim 9, Azieres teaches further comprising the step of: transmitting electronic termination information dependent on a termination of the access from the maintenance computer to the technical device (inherency).

As per **claim 12**, which depends on claim 9, Azieres teaches further comprising the step of: transmitting electronic documentation of accesses effected by the maintenance computer from the maintenance computer to the technical device (see col.5, lines 54-55 and col.7, lines 19-29).

As per **claim 14**, which depends on claim 9, Azieres teaches further comprising the step of: automatically determining an extent of an intended data access during the remote maintenance (see col.11, lines 46-50).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Azieres et al. (US 6,646,564) as applied to claims 9 and 15, respectively above, and further in view of Othmer et al. (US 6,167,358).

As per **claim 13**, which depends on claim 9, Azieres does not explicitly teach further comprising the step of: automatically deleting electronic data that has been transmitted from the technical device to the maintenance computer and stored in the maintenance computer from the maintenance computer by the maintenance computer, dependent on termination of the access.

Othmer teaches automatically deleting electronic data that has been transmitted from the technical device to the maintenance computer and stored in the maintenance computer from the maintenance computer by the maintenance computer, dependent on termination of the access (see col.14, lines 13-16).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Azieres in view of Othmer by implementing automatically deleting electronic data that has been transmitted from the technical device to the maintenance computer and stored in the maintenance computer from the maintenance computer by the maintenance computer, dependent on termination of the access. One would be motivated to do so because Azieres teaches that the security access level can be based also on "origin of a query" (see col.5, lines 31-40) and such means ensures that the information is not available to others accessing from the same origin at a later time.

As per **claim 16**, which depends on claim 15, Azieres and Othmer teach further including the step of automatically deleting electronically transmitted data from the technical device to the maintenance computer during maintenance, said data being considered access sensitive by the operating personnel of the technical device (see claim 13 rejection above).

Response to Arguments

6. Applicant's arguments with respect to claims 9-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. For the reasons above, claims 9-16 have been rejected and remain pending.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL Y. WON whose telephone number is (571)272-3993. The examiner can normally be reached on M-Th: 10AM-8PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Won/
Primary Examiner
May 20, 2008